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ILL. C. C. DOCKET NO. 01-0338

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

Ameritech Exhibit No. 7

Date 6-21-01 Reporter JT

TDS Metrocom, Inc. )  
Petition for Arbitration of Interconnection Rates, )  
Terms and Conditions and Related Arrangements with ) No. 01-0338  
Illinois Bell Telephone Company d/b/a Ameritech )  
Illinois Pursuant to Section 252(b) of the )  
Telecommunications Act of 1996 )

REBUTTAL TESTIMONY

OF

JOHN M. MITCHELL

On Behalf of

AMERITECH ILLINOIS

June 14, 2001

ISSUE - TDS 124

1 REBUTTAL TESTIMONY  
2 OF JOHN M. MITCHELL  
3 ON BEHALF OF AMERITECH ILLINOIS  
4

5 Q. ARE YOU THE SAME JOHN MITCHELL WHO SUBMITTED DIRECT  
6 TESTIMONY IN THIS HEARING BEFORE THIS COMMISSION?  
7

8 A. Yes.

9 Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?  
10

11 A. I respond on behalf of Ameritech Illinois to the testimony of Commission Staff witness  
12 Omoniyi on issue TDS-124.

13 Issue TDS-124: TDS's Responsibility For TDS's Inaccurate Orders

14 Q: PLEASE ADDRESS MR. OMONIYI'S CONTENTION THAT THE CURRENT  
15 NASCENT STATE OF AMERITECH'S OSS IS NOT SUITABLE FOR THIS TYPE  
16 OF PROPOSAL REGARDING RESPONSIBILITY FOR ERRONEOUS ORDERS?  
17

18 A: Mr. Omoniyi states that it is a *"fair idea that each party causing mistakes be held*  
19 *responsible for its mistakes."* Ameritech Illinois could not agree more. As I stated in my  
20 direct testimony, TDS's entry of erroneous orders into the OSS has the potential to cause  
21 Ameritech Illinois to incur significant costs, either by causing Ameritech Illinois to take  
22 extra steps in order to correct erroneously entered information or to compensate others for  
23 incorrect orders. The bottom line is that if TDS places an inaccurate order and Ameritech  
24 Illinois incurs additional cost to fulfill that order, then Ameritech Illinois has the right to  
25 expect payment to recover those costs.  
26

27 I disagree, however, with Mr. Omoniyi's additional comments that Ameritech Illinois is  
28 still developing its OSS and therefore is not eligible to recover any costs of TDS errors.

29 Under Mr. Omoniyi's position, even if Ameritech Illinois's OSS processes a TDS order

1 exactly the way they are supposed to, but the order is inaccurate due to a mistake by TDS's  
2 personnel, Ameritech Illinois would be considered at fault and would not be allowed to  
3 recover the costs incurred as a result of TDS's error.

4  
5 Ameritech Illinois is constantly meeting with CLECs to discuss their needs and upgrade its  
6 OSS to meet their needs. Ameritech Illinois' OSS functions better today because of those  
7 enhancements than ever before. It is not necessary that every single OSS task be "certified  
8 error-free"; all we are asking is for TDS to cover the costs if it turns out a particular error or  
9 group of errors is theirs: in particular if it is a large error. Simply put, if errors are TDS's  
10 fault why should Ameritech Illinois not recover those costs?

11  
12 I also think Mr. Omoniyi confuses the issue of error responsibility with performance  
13 measures. The Ameritech Illinois proposal supported in my direct testimony is not punitive,  
14 and clearly states that TDS will not be responsible for every error. It is not Ameritech  
15 Illinois' intent to hold TDS liable for an isolated and trivial error, and there is no real  
16 danger of that occurring, because it would not be worth the effort to determine the  
17 associated cost or to bill TDS for such errors. But if TDS submits a large volume of  
18 erroneous requests, or a smaller number of errors that take significant time and cost to  
19 correct, TDS should compensate Ameritech Illinois for the costs it incurs as a result.

20  
21 **Q: DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

22  
23 **A: Yes.**